

EXHIBIT 5

Part 2 of 3

12

1 there I really don't remember happening. I mean, I
2 didn't know that Roger Ladd was approached. I was
3 always been under the impression that we brought
4 him into the mess. Because I was staying at his
5 trailer and my ex-husband, now, found me when we
6 were discussing everything which involved Roger,
7 but I don't remember him being directly involved as
8 far as that version. I always thought we
9 implemented him just by -- I mean, just by being in
10 his area.

11 **PRESIDING COMMISSIONER RISEN:** Okay, were
12 you -- Okay, let me ask you this. Now, were you
13 ever present when there was a conversation between
14 Ruckert, yourself, and someone else to kidnap the
15 older sister and kill her?

16 **INMATE TRIPP:** Well, it was a while ago. It
17 was a few Board hearings ago. And at the time,
18 they didn't really care to know and -- What
19 happened at the time is me and Randy went with
20 Hilton to talk to my stepfather. But me and Randy
21 had to sit in the car, and that would be Cook.
22 That would be Mr. Cook. And we watched Hilton talk
23 to my stepfather on the front of our grass where my
24 mom's house is. That was when he was staying -- He
25 was being allowed to go there to get his clothes at
26 the time. And we watched the conversation, but we
27 never really heard the conversation. But when it

13

1 came to testifying to them, I perjured myself and
2 said I heard everything. And I just repeated what
3 my husband told me because I didn't think that my
4 stepfather should be the only one not going
5 anywhere.

6 PRESIDING COMMISSIONER RISEN: Okay.

7 ATTORNEY WOODWARD: I think -- necessary to
8 clarify that for me is that -- I think what Ms.
9 Tripp is indicating at the trial for Mr. Ruckert,
10 she was primary state's witness against him. Had
11 she not testified, it's quite probable he would
12 have been exculpated, I think. Because they
13 couldn't find -- So she perjured herself to convict
14 Mr. Ruckert and become the star witness against Mr.
15 Ruckert in the subsequent (inaudible) convicted of
16 first degree.

17 PRESIDING COMMISSIONER RISEN: Okay. Does
18 that mean that her husband Hilton never testified
19 against Ruckert?

20 INMATE TRIPP: Not to my knowledge. I was
21 the last one that they ever seen.

22 PRESIDING COMMISSIONER RISEN: Okay.

23 INMATE TRIPP: Out of the -- There was four
24 of us. I was the last. That would have went to
25 trial if I hadn't pled guilty.

26 PRESIDING COMMISSIONER RISEN: Okay, now the
27 first one they were going to kidnap was -- and

14

1 according to someone, murder -- would be the older
2 sister. What was her name?

3 INMATE TRIPP: Betty Ann Maddox.

4 PRESIDING COMMISSIONER RISEN: Okay. What
5 ever happened to her?

6 INMATE TRIPP: Okay. He came with this
7 wonderful idea. I wasn't real thrilled. And in my
8 mind at the time, I didn't really think I was
9 participating in murder. And they did discuss
10 murder and they were smoking a joint and they were
11 talking, just like, bizarre, and I told them, I'm
12 not helping you with any murder. I'll get her out
13 of the house. If you want to do what you're going
14 to do, you can do it.

15 PRESIDING COMMISSIONER RISEN: Okay.

16 INMATE TRIPP: But I'll get her out of the
17 house. But when I went to get her out of the
18 house, they stayed in the bushes and nobody did
19 anything. So she went back to her home, so nothing
20 ever happened to her.

21 PRESIDING COMMISSIONER RISEN: So we're
22 talking about the older sister?

23 INMATE TRIPP: That's the older sister.

24 PRESIDING COMMISSIONER RISEN: Okay. Now,
25 how were you involved in the younger sister's
26 kidnapping?

27 INMATE TRIPP: In the beginning, I was

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1 actually running interference with her. Because
2 they were talking and they wanted to kill her. I
3 didn't want to kill her. I didn't want to help
4 kill her. I didn't think she needed to be dead,
5 and I didn't want to do it. And so, we'd set up
6 little plans and they'd kind of just casually fall
7 through. And it wouldn't work, and I'd take Tammy
8 home and we'd go places, and I'd take Tammy home.
9 Well, the day that this happened, before it
10 happened, my husband promised me that no one would
11 get hurt. He promised me that he would go pick
12 Tammy up if I sent her down to the store. I could
13 go to Randy's house and watch her, and they would
14 go convince my stepfather that they kidnapped her
15 and she wouldn't be testifying to get the money.
16 And then we were going to let her go.

17 PRESIDING COMMISSIONER RISEN: And you were
18 supposed to be at Randy Cook's house?

19 INMATE TRIPP: Yeah.

20 PRESIDING COMMISSIONER RISEN: The trailer.

21 INMATE TRIPP: So after she came up -- No, I
22 was supposed to be -- He lived with his girlfriend
23 in a house in Arroyo Grande. So I went after her
24 mom called, I went to Randy's house and I waited
25 and I waited and I waited. And in my head, I knew
26 something wasn't going right, but I was afraid to
27 leave, because I was afraid if I wasn't where I was

16

1 supposed to be and something happened to her, then
2 it was my fault. And that's how I thought when I
3 was --

4 PRESIDING COMMISSIONER RISEN: Okay. Now
5 how did Tamron Carpenter, the victim, know you?

6 INMATE TRIPP: He --

7 PRESIDING COMMISSIONER RISEN: She.

8 INMATE TRIPP: They were a friend of my
9 stepdad's for years and I met them through my
10 stepfather for years.

11 PRESIDING COMMISSIONER RISEN: Did you watch
12 them? Were you like a caretaker?

13 INMATE TRIPP: Well, no. We never
14 babysitted, but her older sister, Betty Ann, was my
15 best friend.

16 PRESIDING COMMISSIONER RISEN: The one --

17 INMATE TRIPP: The older one.

18 PRESIDING COMMISSIONER RISEN: The older
19 one.

20 INMATE TRIPP: Maddox.

21 PRESIDING COMMISSIONER RISEN: Okay. But
22 Tamron knew you well.

23 INMATE TRIPP: Yeah.

24 PRESIDING COMMISSIONER RISEN: So if you
25 went to Randy Cook's house and held her there, how
26 -- Once you ultimately got away, how would you not
27 be identified?

1 **INMATE TRIPP:** Well, in my head, I was not
2 going to let her know that she was being kidnapped.
3 I had planned in my head that I would just tell
4 her, your mom knows we're here. And we're just
5 going to hang out for a while, and then we'll go to
6 the beach and then we'll go back to your mom's.
7 Because she thought we were going somewhere. She
8 never knew. When she was with me and I would take
9 her places and they would want to kidnap her and I
10 wouldn't let them do it then. And I'd tell them,
11 no, no. This isn't going to work. And I'd talk
12 them out of it because I was there. We were going
13 places. Like, we'd go to the park. We'd go
14 swimming. So I was always there with her. And
15 they promised me that they would drop her off and I
16 would just watch her and so I had it planned. And
17 I had my moped and I had it planned that we'd go to
18 the park and she would never know. In my head. I
19 didn't think that anything could go wrong, and I
20 didn't think far enough to know that her life would
21 be taken.

22 **PRESIDING COMMISSIONER RISEN:** Didn't you
23 feel that Ruckert would have to ensure in some way
24 that she'd been taken care of? Not just by you
25 telling him.

26 **INMATE TRIPP:** I never thought that far.
27 And after years of growing up and thinking of how

1 he was, I would think that now. I know what kind
2 of person he is today. But back then, I didn't
3 think that. I figured --

4 PRESIDING COMMISSIONER RISEN: How old were
5 you then?

6 INMATE TRIPP: I had just turned 20.

7 PRESIDING COMMISSIONER RISEN: And where
8 were you living?

9 INMATE TRIPP: Well, at the time, we were
10 living in a tent.

11 ATTORNEY WOODWARD: Sorry, but did I hear
12 the tape recorder go off or am I imagining things?

13 DEPUTY COMMISSIONER MAY: It's on.

14 ATTORNEY WOODWARD: I apologize. I'm sorry.

15 PRESIDING COMMISSIONER RISEN: Where you
16 living at the time?

17 INMATE TRIPP: We were living in a tent
18 underneath an overpass by Avila.

19 PRESIDING COMMISSIONER RISEN: And this was
20 in 1979.

21 INMATE TRIPP: Yes, Sir.

22 PRESIDING COMMISSIONER RISEN: Well, how do
23 you feel about your involvement now in the case?

24 INMATE TRIPP: I believe that if I hadn't
25 gotten involved at all -- I mean, I should have
26 just called when they were talking about it and
27 preventing it altogether.

1 **PRESIDING COMMISSIONER RISEN:** Probably.

2 **INMATE TRIPP:** I would have called the
3 police. I did try to call the police once or
4 twice, but I got scared. When they picked up the
5 phone, I hung up. And I called from a payphone.
6 And now that I'm older, I know that I knew at the
7 time something wasn't right. Or I wouldn't be
8 trying to call the police.

9 **PRESIDING COMMISSIONER RISEN:** Okay. What
10 you're saying, then, is on July 8th, '79, when they
11 didn't bring the girl to you, you knew something
12 was wrong. And so you tried to call the police?

13 **INMATE TRIPP:** I tried twice and I got
14 scared and I hung up the phone as soon as he
15 answered. I was at a payphone in old Arroyo Grande
16 by this bridge. And I hung up the phone. I never
17 talked to anyone because I got scared. In my head,
18 I was thinking, well, if I'm not there and they
19 show up, what happens if they take things into
20 their own hands?

21 **PRESIDING COMMISSIONER RISEN:** Okay, now,
22 she knew both Hilton and Randy Cook? Hilton Tripp?

23 **INMATE TRIPP:** I'm not sure if she really
24 knew Randy really well, but she knew Hilton because
25 he was with me most of the time.

26 **PRESIDING COMMISSIONER RISEN:** Okay. And
27 you sent her to the store near Avila Beach?

20

1 **INMATE TRIPP:** No. I sent her down -- The
2 store was, like, right down from her house. But
3 they were parked down there waiting.

4 **PRESIDING COMMISSIONER RISEN:** Did you
5 ever --

6 **INMATE TRIPP:** They (inaudible) up on a hill
7 and the store was right --

8 **PRESIDING COMMISSIONER RISEN:** Okay. You
9 were arrested two days later. Did you ever talk to
10 Hilton and Randy?

11 **INMATE TRIPP:** No. No. What actually
12 happened is they picked me up for questioning. I
13 denied the whole thing. I acted like I didn't know
14 anything. And they held me. And at the time, I
15 guess it was 23 hours. They can hold you 23 hours
16 and they have to let you go if they're not going to
17 arrest you. And during that time, Hilton had came
18 into the police department looking for me. And
19 they ended up picking him up because he had a
20 juvenile warrant for him for a prior conviction.
21 And they let me go and then I think I got arrested
22 the next day. I think it was the next day early
23 morning. I mean, I went through a whole day and
24 then they woke me up out of a dead sleep, so it
25 was, like, two days later, the following morning.
26 But it was, like, within a 24 hour period
27 (inaudible).

1 **PRESIDING COMMISSIONER RISEN:** Well, if
2 she's walking somewhere and these two guys pull up
3 and attempt to pick her up, she's probably not
4 going to get in the car.

5 **INMATE TRIPP:** No, she was in the store and
6 she knew them. There's a grocery store down there
7 and I sent them down to the store to buy some
8 items. And they asked her if -- I guess they asked
9 her if she wanted a ride. I never really talked to
10 them after it happened because I couldn't believe
11 that they did it. I couldn't believe that they
12 killed someone.

13 **PRESIDING COMMISSIONER RISEN:** Did Hilton or
14 Cook ever tell you that she was strangled to death?

15 **INMATE TRIPP:** When they came back, they
16 finally showed up at Randy's house and I asked them
17 where they had been. And they told me and I told
18 them, I don't want to hear it. And when they told
19 me where it was, I never went back to the area
20 because I knew that she was there. And I just
21 couldn't do it. But before I told him that I
22 didn't want to hear anymore -- He had made the
23 statement that me and Randy pulled the rope at the
24 same time, so neither one of us knows who killed
25 her. And I told him, I don't want to hear
26 anything. Don't tell me anything. I can't believe
27 that you did it. And then I wouldn't go back to

1 the area.

2 PRESIDING COMMISSIONER RISEN: Well, how
3 would you handle a situation like that today?

4 INMATE TRIPP: If I heard anyone
5 conspiracizing about any kind of awful thing, I
6 would call the police within a minute. I would
7 have no problem turning anyone in today. Because
8 when I was young, you think, no, they're really not
9 going to do it. You know, people always talk and
10 it's like, they really don't mean it. I wouldn't
11 take that chance. Because what if they do mean it.
12 You know. Tammy's gone, and it is my fault.
13 Because she would have never went down to the
14 store. You know, and they may have not have done
15 anything if I hadn't helped, but I wouldn't have
16 helped if they hadn't promised me that she wouldn't
17 have got hurt. The reason it took so long --

18 PRESIDING COMMISSIONER RISEN: Then your
19 motivation was you wanted the \$1,000?

20 INMATE TRIPP: Well, I wanted to burn my
21 stepfather. I wanted to pay him back for
22 everything that I went through with him.

23 PRESIDING COMMISSIONER RISEN: And how did
24 you plan to do that?

25 INMATE TRIPP: When he gave us the money, we
26 were going to turn Tammy loose and let her testify.
27 We weren't going to keep her. We were going to let

23

1 her do what she needed to do. Because we knew he
2 wouldn't -- The one thing we did know is he would
3 never turn us in. Because what would he say. You
4 know, he couldn't turn us in. And I don't remember
5 who put that knowledge in our head, but we knew
6 that for a fact that he wouldn't turn us in. So if
7 he gave us the money, there was nothing he could do
8 if Tammy showed up to testify.

9 PRESIDING COMMISSIONER RISEN: Okay, but it
10 was \$1,000.

11 INMATE TRIPP: Well, they said 1,000. I was
12 told 10,000, so I'm not really sure because I never
13 really heard -- The only thing I heard was what
14 Hilton ever told us.

15 PRESIDING COMMISSIONER RISEN: Okay, now
16 let's go over your pre-conviction factors. Says
17 you have no juvenile record.

18 INMATE TRIPP: No, I don't have (inaudible).

19 PRESIDING COMMISSIONER RISEN: Okay. Now,
20 in the Governor's letter, he said that in the '85,
21 '91, and '93 psych evaluation, you talked about
22 shoplifting as a juvenile. Did you do that?

23 INMATE TRIPP: I was a delinquent at times,
24 but I never got arrested for it.

25 PRESIDING COMMISSIONER RISEN: Okay. Then
26 you stole cars.

27 INMATE TRIPP: I stole two cars to run away

1 with.

2 PRESIDING COMMISSIONER RISEN: Okay. And
3 then you stole money from your parents?

4 INMATE TRIPP: I did steal money from my
5 mom.

6 PRESIDING COMMISSIONER RISEN: Back to the
7 commitment offense. Was there any drugs or alcohol
8 on your part? Were you using drugs or under the
9 influence of alcohol?

10 INMATE TRIPP: When we were talking about
11 Betty Ann, we were smoking weed. We were pretty
12 loaded.

13 PRESIDING COMMISSIONER RISEN: Okay, but on
14 the --

15 INMATE TRIPP: But I don't remember doing
16 drugs or alcohol at the time when Tammy -- I really
17 tried to talk them out of it and why I didn't call
18 the cops -- At that age, that young. I think it's
19 because I thought I was in love with him, and I
20 realized that wasn't love when I grew up. I'm not
21 real sure why. I think my judgment was very
22 impaired because of everything. I think I hated my
23 stepfather so much, honestly, that it just blinded
24 me of what was really right and wrong.

25 PRESIDING COMMISSIONER RISEN: Okay. But
26 drugs or alcohol didn't cloud your decision-making
27 abilities on this particular day when you sent the

25

1 victim down to the market?

2 INMATE TRIPP: I don't think so. I don't
3 remember being high or drinking that day.

4 PRESIDING COMMISSIONER RISEN: And you had
5 no adult convictions (inaudible).

6 INMATE TRIPP: No.

7 PRESIDING COMMISSIONER RISEN: Okay. Says
8 you're divorced. Were you divorced at the time of
9 the commitment offense?

10 INMATE TRIPP: No. I was still married and
11 my attorney advised me not to get a divorce until
12 after everything was over. So when I arrived at
13 CIW within the year, I was divorced.

14 PRESIDING COMMISSIONER RISEN: Okay. You
15 were born where? In California?

16 INMATE TRIPP: Yes. San Luis Obispo.

17 PRESIDING COMMISSIONER RISEN: You have one
18 half-sister and one half-brother. Your parents
19 separated when you were two years old.

20 INMATE TRIPP: Yes.

21 PRESIDING COMMISSIONER RISEN: Your mother
22 married William Ruckert. That's the guy who was
23 charged with the molestation.

24 INMATE TRIPP: Yeah.

25 PRESIDING COMMISSIONER RISEN: You were
26 especially close to your maternal grandmother, who
27 is now deceased.

26

1 INMATE TRIPP: Yes.

2 PRESIDING COMMISSIONER RISEN: Your mother
3 was a secretary and Ruckert was an electrician?

4 INMATE TRIPP: Yes.

5 PRESIDING COMMISSIONER RISEN: Says you were
6 close to your stepfather despite the fact he once
7 attempted to molest you once you were seven years
8 of age.

9 INMATE TRIPP: That part I disagree because
10 it wasn't a once thing. It was from seven all my
11 life until I decided I wasn't sleeping with him.
12 It was a molest thing when I was younger and as I
13 matured, it became a money exchange thing. For me.

14 PRESIDING COMMISSIONER RISEN: You received
15 average grades in school. Not a behavioral problem
16 until you met Hilton Tripp. That was your husband,
17 the guy you married.

18 INMATE TRIPP: Yes, Sir.

19 PRESIDING COMMISSIONER RISEN: And that
20 would be in the 10th grade?

21 INMATE TRIPP: Yeah, it was the 10th grade.

22 PRESIDING COMMISSIONER RISEN: What kind of
23 an influence did he have on you?

24 INMATE TRIPP: He was the one who was saving
25 me from my stepdad. That's why I ran away so much.

26 PRESIDING COMMISSIONER RISEN: Okay.

27 INMATE TRIPP: Because he was going to

27

1 protect me and save me.

2 PRESIDING COMMISSIONER RISEN: And it says
3 you graduated from a continuation high school.

4 INMATE TRIPP: Yes, Sir.

5 PRESIDING COMMISSIONER RISEN: Now, you
6 didn't want to marry Tripp?

7 INMATE TRIPP: When I was pregnant, I didn't
8 want to get -- Getting married wasn't something I
9 really wanted.

10 PRESIDING COMMISSIONER RISEN: Okay, but
11 your parents --

12 INMATE TRIPP: My stepdad did and one of my
13 grandmothers. They said it would be wise because I
14 was pregnant and I should do the right thing and
15 not have the baby out of --

16 PRESIDING COMMISSIONER RISEN: And Tripp was
17 the father.

18 INMATE TRIPP: Tripp was the father.

19 PRESIDING COMMISSIONER RISEN: Okay, then
20 your mother adopted the child.

21 INMATE TRIPP: Yes, Sir.

22 PRESIDING COMMISSIONER RISEN: And how old
23 is she now?

24 INMATE TRIPP: She's going to be 25 in June.

25 PRESIDING COMMISSIONER RISEN: Any type of
26 work prior to coming to prison?

27 INMATE TRIPP: I had pieces of jobs.

1 **PRESIDING COMMISSIONER RISEN:** How long was
2 the longest time you worked?

3 **INMATE TRIPP:** Probably, like, three months.
4 I was in Texas when I got certified to become a
5 nurse's aide.

6 **PRESIDING COMMISSIONER RISEN:** Okay, how
7 long before the commitment offense were you in
8 Texas?

9 **INMATE TRIPP:** I went to Texas the summer of
10 '77. Because I had just graduated. That's when I
11 first met my (inaudible). And I had to get a job
12 to come back to California.

13 **PRESIDING COMMISSIONER RISEN:** And you
14 worked about three months doing what?

15 **INMATE TRIPP:** I was working in a nursing
16 home. Trying to become a nurse. It was a class
17 where you worked. You could become a nurse's aide
18 as you were working and you took the schooling and
19 the training at the same time.

20 **PRESIDING COMMISSIONER RISEN:** Okay, now,
21 did you have a problem with drugs at all on the
22 street?

23 **INMATE TRIPP:** I consider me an addict, an
24 alcoholic, only because of the way I consumed
25 alcohol and drugs. When I did them, I consumed a
26 lot of them. I didn't just --

27 **PRESIDING COMMISSIONER RISEN:** Okay. What

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1 age did you start using drugs?

2 INMATE TRIPP: I started smoking weed in the
3 ninth grade.

4 PRESIDING COMMISSIONER RISEN: And it just
5 went on from there?

6 INMATE TRIPP: Yeah. Most of my stuff was I
7 smoked marijuana and I drank hard liquor. Once in
8 a while, I would do acid. Once in a while, I'd do
9 speed. Once in a while, but --

10 PRESIDING COMMISSIONER RISEN: Okay. And at
11 this point, we'll go to the next part of the
12 hearing, post-conviction factors.

13 DEPUTY COMMISSIONER MAY: Thank you, Mr.
14 Chairman. At the last hearing -- That was November
15 the 6th, 2002. Inmate was granted, but the
16 Governor, on April 4th, 2003, reversed the grant
17 and with the following decision:

18 "According to the Probation Officer's
19 report, Tamron Carpenter and her
20 older sister were schedule to testify
21 in a criminal proceeding that William
22 Ruckert had sexually abused them.
23 Mr. Ruckert offered \$10,000 to his
24 stepdaughter Brandee Tripp, her
25 husband Hilton, and her husband's
26 friend to kill the girls before they
27 could testify. The originally agreed

1 to kidnap and murder Tamron's older
2 sister. When that plan failed, they
3 plotted to kidnap the 10 year old
4 Tamron. Ms. Tripp, age 20, was a
5 family friend of the young victim.
6 In fact, Mrs. Tripp was the only
7 person Tamron's mother trusted to
8 take Tamron places. Ms. Tripp
9 arranged to take Tamron swimming on
10 July the 8th, 1979. According to the
11 plans Tripp sent Tamron to the store
12 alone. Mr. Tripp and his friend met
13 Tamron there, offering to give her a
14 ride back. This provided them the
15 opportunity to kidnap Tamron, taking
16 her to the beach, where Mrs. Tripp
17 and her husband lived. Ms. Tripp's
18 husband and his friend tied Tamron
19 up, dug a shallow grave, and then
20 strangled and buried her. Ms. Tripp
21 pled to second degree murder on the
22 condition that she testify against
23 her stepfather, William Ruckert. She
24 was sentenced to 15 years to live.
25 While incarcerated, Mrs. Tripp has
26 participated in many self-help and
27 therapy programs, including Alcohol

1 and Narcotic Anonymous, 12 Step
2 program, various psychotherapy
3 groups, anger management programs,
4 and Victim Awareness Programs. She
5 has also been involved with a variety
6 of organizations and activities. She
7 has completed her GED and taken some
8 additional classes. All this is
9 commendable. The crime she
10 facilitated, however, was
11 particularly heinous, the planned
12 killing of an innocent child to
13 prevent her from testifying against a
14 serial child abuser. It was clear
15 that Tamron's mother was concerned
16 about her child's safety. Mrs. Tripp
17 was the only person she trusted to
18 take care of Tamron. Mrs. Tripp
19 abused the trust of not only Tamron's
20 mother, but also Tamron herself.
21 Mrs. Tripp arranged to send Tamron to
22 the store by herself for the very
23 purpose of facilitating the
24 kidnapping and subsequent murder.
25 Mrs. Tripp claims that she only
26 agreed to arrange for the kidnapping
27 on the condition that no one was to

1 be hurt. This is simply not credible
2 and is inconsistent with the facts.
3 Mrs. Tripp claimed she has accepted
4 responsibility for the crime and
5 realizes that her cooperation made
6 the victim more accessible to being
7 kidnapped and murdered. I am not
8 convinced, however, that Ms. Tripp is
9 not trying to minimize her
10 culpability. She says that the plan
11 had been to kidnap Tamron, collect
12 the money, and doublecross her
13 stepfather. But she had to realize
14 that Mr. Ruckert would not agree to
15 pay anything while Tamron's sister
16 could still testify against him.
17 Furthermore, it is not credible that
18 she did not know that Tamron would be
19 killed. Indeed, in her 1999
20 psychiatric evaluation, Mrs. Tripp
21 admits that she and her husband
22 discussed killing both Tamron and her
23 sister. Moreover, Mrs. Tripp and her
24 husband lived in a tent. Mrs. Tripp
25 had to know that they could not keep
26 Tamron hidden there very long. The
27 planned kidnap and murder of a 10

1 year old child is atrocious in and of
2 itself, but Mrs. Tripp's motive is
3 especially heinous. She aided in the
4 murder of profit to prevent the
5 victim from testifying and to allow a
6 serial child abuser to continue
7 abusing other innocent children.
8 These factors are far beyond the
9 minimum required to support a
10 conviction of second degree murder.
11 The Arroyo Grande Police Department
12 recommended against parole due to
13 Mrs. Tripp's active participation in
14 this heinous crime. I agree. The
15 calculated murder for hire,
16 demonstrating especially callous
17 disregard for human suffering,
18 indicates that Mrs. Tripp is not
19 suitable for parole at this time.
20 Additionally, I note that one factor
21 the Board relied upon in granting
22 parole was that Mrs. Tripp had no
23 juvenile record. I question,
24 however, Mrs. Tripp's truthfulness
25 regarding her discussion of her
26 juvenile history. During the
27 psychological evaluation in 1985,

1 1991, and 1993, she admitted to
2 having had behavior problems,
3 shoplifting, stealing cars, and
4 stealing from her parents. Yet at
5 the 2002 hearing, she indicates that
6 she had no prior criminal activities
7 before the murder. Mrs. Tripp has
8 demonstrated a very unstable
9 lifestyle. She was expelled from
10 school in the 10th grade. She is an
11 alcoholic and (inaudible) from
12 cocaine beginning as a teenager.
13 Prior to the murder, she was living
14 in a tent and stealing for food. In
15 prison, she accumulated 21
16 disciplinary reports, the most recent
17 in 1999. Over the years, psychiatric
18 evaluations have diagnosed her as
19 polysubstance dependent, having an
20 anti-social personality disorder, and
21 a quick and violent temper. Ms.
22 Tripp's role in this murder for hire
23 showed an exceptional callousness and
24 indifference to human life. In view
25 of her unstable history and
26 lifestyle, Mrs. Tripp must
27 demonstrate over a prolonged period

35

1 that the gains she has begun to make
2 in a controlled institutional setting
3 can be maintained upon release. I am
4 also concerned that Mrs. Tripp lacks
5 realistic parole plans. She has a
6 sparse employment history before
7 incarceration and does not appear to
8 have any credible employment
9 prospects if paroled. Instead, she
10 intends to rely on a trust fund and
11 live with her mother. In this
12 unstructured environment, Mrs. Tripp
13 may lose the gains she has made in
14 prison. Based upon each of the
15 negative factors discussed above, I
16 believe Mrs. Tripp still poses an
17 unreasonable risk of danger to
18 society if paroled at this time.
19 Accordingly, I reverse the Board of
20 Prison Terms' decision to parole Mrs.
21 Tripp."

22 Since her last hearing, she has remained
23 disciplinary free. She has accumulated a total of
24 14 128s, the last being May the 27th, 1999 for
25 excessive property. A total of 11 115s, the last
26 being March the 31st, 1988, Division F. And since
27 the last hearing, she has continued to participate

1 in various self-help and voluntary activities. She
2 completed the Inmate Assistance Module of Anger
3 Management, continued attendance and participation
4 as a member of AA, NA. She also participated in
5 the SOS group crochet project from November the
6 15th, 2002 through May 1st, 2003, and the CIW mass
7 choir. Then the assessment. Mrs. Tripp last
8 appeared before the Board -- She has continued to
9 participate in self-help, voluntary activities, and
10 the assessment was a positive outlook for its
11 future parole possibility and is an asset to the
12 institution. A summary by the Counselor, and that
13 is Pete Florence. With consideration to the
14 commitment offense, prison adjustment, and personal
15 interaction with Mrs. Tripp, this writer believes
16 the prisoner would probably pose a medium to low
17 degree of threat to the public if released from
18 prison at this time. The psychiatric report by Dr.
19 Hu dated January the 16th, 2004. Axis I, no
20 diagnosis. Axis II, no diagnosis. The Doctor
21 concluded the inmate has not been dangerous within
22 a controlled setting.

23 "I do not believe that she will be
24 dangerous if released to the
25 community. This is based on the
26 interview as well as review from her
27 Central File. The first couple of

1 years of incarceration has been
2 difficult with numerous write-ups.
3 However, the inmate has been
4 motivated in her self-discovery and
5 has improved dramatically over the
6 years, to the point where she has
7 matured significantly. The inmate
8 has gained a healthy respect for the
9 rights and privacy of others and
10 appeared to have followed diligently
11 in the rules and regulations here at
12 this institution. The inmate has
13 been able to keep her pathological
14 characteristics in control and she
15 has also attained a certain level of
16 peace and contentment within herself.
17 Her parole plans, though a viable
18 one, may be better improved if
19 certain additional structures are
20 involved, such as a search for higher
21 education in a junior college, or
22 even a college degree. Given her
23 level of high intellectual
24 functioning and, or the possibility
25 of a reentry program that can offer
26 her a better strategy of acclimation
27 back into society. Risk factors, as

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1 always, would be if she ever
2 attempted to resort to acts of
3 criminality, though given her level
4 of peace and contentment, I would not
5 suspect that to be the case."

6 With that, I will return to the Chair.

7 **PRESIDING COMMISSIONER RISEN:** Okay.

8 Regarding your parole plans, I'm going to work from
9 your attorney's brief. It indicates that you've
10 been accepted by the Casa Solano, a residential
11 treatment facility in Grover Beach. Is that
12 correct?

13 **INMATE TRIPP:** Yes, Sir.

14 **PRESIDING COMMISSIONER RISEN:** And that's
15 where you were raised, in Grover Beach?

16 **INMATE TRIPP:** Yes, Sir.

17 **PRESIDING COMMISSIONER RISEN:** Your mother
18 also lives near there.

19 **INMATE TRIPP:** Yeah.

20 **ATTORNEY WOODWARD:** And extensive family.

21 **PRESIDING COMMISSIONER RISEN:** Yeah. Also,
22 they provide transportation. Says here, the
23 residents providing transportation, teaching
24 residents necessary life skills. Have you ever had
25 a driver's license?

26 **INMATE TRIPP:** Yeah. I had a driver's
27 license before I got arrested.

1 PRESIDING COMMISSIONER RISEN: Okay.

2 INMATE TRIPP: Expired.

3 PRESIDING COMMISSIONER RISEN: Now, also in
4 reading the psych evaluation, there it indicated
5 you were probably going to live with your mother.
6 That's not the case now.

7 INMATE TRIPP: No. When he did my psych
8 evaluation, that was in January. And between
9 January and March, I was on the calendar for March
10 31st. They removed me and put me on May 17th.
11 After my meeting with him, he had talked to me for
12 a minute and he said, well, I think your parole
13 plan is viable, but I think you'd do better. And I
14 listened and as soon as I walked out the building,
15 I proceeded to try to do what he felt would be
16 better also.

17 PRESIDING COMMISSIONER RISEN: A little more
18 structured setting, I think.

19 INMATE TRIPP: Yeah.

20 PRESIDING COMMISSIONER RISEN: And there is
21 a letter in the file dated March 4th, 2004 from
22 Sister Mary Sheen Hodges, H-O-D-G-E-S, at the Casa
23 Solano in Grover Beach, California, accepting you
24 into the program. Now, for work, you've already
25 found a job for release. There's a letter here
26 from Cheryl Langford Bookkeeping and Tax Services
27 in Pismo Beach, which is nearby. But you're going

1 to have to have some transportation to get there.
2 Offering you a job. She says, both of my
3 businesses have the capability of ensuring a job
4 for BranDee when she is released. I understand
5 that from BranDee's mom that BranDee has acquired a
6 broad knowledge of many different skills and I am
7 sure I can put her to work. Do you know Cheryl
8 Langford or is it someone in your family?

9 **INMATE TRIPP:** Not personally. My mother
10 knows her.

11 **PRESIDING COMMISSIONER RISEN:** Okay. And
12 what is your knowledge as to what you plan to do
13 there in the way of work?

14 **INMATE TRIPP:** Pretty much anything she
15 wants me to do. I do have good clerical skills. I
16 do know how to operate computers from in here.

17 **DEPUTY COMMISSIONER MAY:** You do know how to
18 operate computers? You're familiar with a word
19 processor?

20 **INMATE TRIPP:** Yeah. I do have a word
21 processor in my present job right now. So, I mean,
22 I could type. I did take a bookkeeping class about
23 probably 17, 18 years ago. But I'm sure that if
24 she sat down with me and helped refresh my memory,
25 I would -- I'm a very quick learner, so I don't
26 really see the problem as being able to do what she
27 would like me to do for --

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1 [Thereupon, the tape was turned over.]

2 DEPUTY COMMISSIONER MAY: Okay.

3 PRESIDING COMMISSIONER RISEN: Okay, there
4 is also some indication here that you will receive
5 a monthly income from a family trust. Who set the
6 trust up for you?

7 INMATE TRIPP: My grandmother.

8 PRESIDING COMMISSIONER RISEN: Okay, and you
9 have any idea of what the monthly lump would be for
10 you?

11 INMATE TRIPP: My mother's attorney had said
12 it would be, like, \$1,000.

13 ATTORNEY WOODWARD: She has current access
14 to 1,000, so minimum of 1,000. It may approach
15 \$1,500.

16 PRESIDING COMMISSIONER RISEN: Okay. And
17 you also have indicated in here that you want to
18 attend some computer courses and continue in self-
19 help. How do you plan to remain substance free
20 once you're out of here?

21 INMATE TRIPP: Well, once I complete the
22 recovery program, then I'll continue to go to my
23 meetings and stuff. I've been writing Mr. Golodner
24 for about the last five, six, seven years. And
25 I've never personally met him, but he's familiar
26 with me through my letters for my counseling.
27 Because I believe that integration isn't going to

1 be really simple. I believe that you need help and
2 keeping yourself in a positive atmosphere is really
3 beneficial for you and -- So I'll keep going
4 because the meetings presently right now -- The
5 home meetings are -- They're only, like,
6 approximately maybe three or four blocks from my
7 house. And I tried to find things that would be
8 within walking distance because I know getting a
9 driver's license isn't as easy as it was. You have
10 to have insurance. You have to have a car and you
11 have to have a lot of things in order just to be
12 able to drive. So as long as I can get to the area
13 on a bicycle and a helmet -- Because I know they
14 have a helmet law now. -- that I, you know, I can
15 keep myself in my program. So I tried to make my
16 arrangements close to where I would be. And with
17 Golodner, he's in Santa Maria, but I know my mom
18 would make sure that I got to my appointments. My
19 mom and my dad, if I can't have a driver's license
20 at the time.

21 **PRESIDING COMMISSIONER RISEN:** Okay, you're
22 referring to Charles Golodner.

23 **INMATE TRIPP:** Golodner. Yeah.

24 **PRESIDING COMMISSIONER RISEN:** G-O-L-O-D-N-
25 E-R. It's a counseling group on Willow Street in
26 Santa Maria. There's a letter here, 9/5 of 2003
27 from him, indicating that he would meet with you as

1 a counselor once you're released. Now there's a
2 letter here from Help? Eldrit? What is in
3 (inaudible)?

4 **INMATE TRIPP:** Yeah. She was at (inaudible)
5 -- Well, what it was was I had written her husband,
6 right. Her husband, he had recently passed on and
7 he was into the job training partnership back in
8 the EED program.

9 **PRESIDING COMMISSIONER RISEN:** Okay.

10 **INMATE TRIPP:** And so she was writing me to
11 let me know that he had passed on and was no longer
12 in that. It was just giving me other outlets. And
13 you can look here, and you can look here, because
14 I'm under the understanding that the EED Employment
15 Agency has specific programs that are for ex-
16 felons. That they do help ex-felons. Yes, Sir.

17 **PRESIDING COMMISSIONER RISEN:** The crime was
18 committed in Grover Beach, well, Avila Beach. In
19 that area.

20 **INMATE TRIPP:** Yeah, in San Luis Obispo.

21 **PRESIDING COMMISSIONER RISEN:** Is this going
22 to be a problem, you paroling back to that area?

23 **INMATE TRIPP:** No. In the beginning, I
24 thought it would because I figured that it would be
25 very hard to find work and I had started looking
26 outside where I did have family, but in other
27 areas. But when the program accepted me and my

1 mom's tax lady said, okay, I'll hire her. And I
2 thought, well, I can get a job and those people
3 will accept me. I thought maybe it would be all
4 right. From what my mom tells me, I don't know
5 personally, no, but I know that Ruckert's family,
6 they just moved. So they no longer live there.
7 And if they still lived there, I don't think I'd
8 feel comfortable being there. Or for them or
9 myself, because, you know, they tried real hard to
10 move on with their life, I'm assuming. You know,
11 they've left that behind and tried to move on and
12 to see my face every day around the corner, that
13 would be, you know. That's just not right to do,
14 and I would work on finding something out of that
15 community. But I don't feel that they live there
16 anymore.

17 PRESIDING COMMISSIONER RISEN: Okay, Vivia?
18 Vivian, is it? Vienna, is it?

19 INMATE TRIPP: Venna.

20 PRESIDING COMMISSIONER RISEN: Venna Jenkins
21 is your daughter.

22 INMATE TRIPP: Yeah. She was my --

23 PRESIDING COMMISSIONER RISEN: And there's a
24 letter here dated 5/11/2004. She lives with your
25 mother.

26 INMATE TRIPP: Yes, Sir.

27 PRESIDING COMMISSIONER RISEN: And this is

1 the daughter your mother adopted.

2 INMATE TRIPP: Yes, Sir.

3 PRESIDING COMMISSIONER RISEN: Okay. And
4 there's a letter of support from her here. And
5 there's also a letter from your mother, Mary
6 Jenkins.

7 INMATE TRIPP: Yes, Sir.

8 PRESIDING COMMISSIONER RISEN: Dated May
9 11th, 2004. It's a letter of support. She also
10 lists one, two, six, six names for the relatives
11 who live in that area. Santa Maria, Clovis,
12 Nipomo, Santa Maria, Grover Beach. They're also
13 supporting you in your release. Is there anything
14 else we should know about your parole plans?

15 INMATE TRIPP: Once I complete the program,
16 I know the program (inaudible). It's a three and
17 six month program, and they have two separate
18 houses, from what my daughter told me.

19 PRESIDING COMMISSIONER RISEN: Okay. And
20 now, as part of the hearing process, we sent out
21 3042 notices. Those are notices that go to the
22 presiding judge, District Attorney, the Police
23 Department, and solicit comments from them
24 regarding your release. Only response we received
25 was from the Arroyo Grande Police Department.
26 Received a letter May 6, 2004 from Steven Andrews,
27 Operational Commander of the Police Department.

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1 And they would be opposed to your parole. We
2 received no other responses for two of those
3 letters. We'll go to the next phase. Any
4 questions?

5 **DEPUTY COMMISSIONER MAY:** No. Just for the
6 record, though, you've completed vocation forklift
7 operator and vocational word processing. Is that
8 it or was there any other vocational?

9 **INMATE TRIPP:** No. I completed vocational
10 word processing and then I focused my jobs around
11 utilizing my vocation.

12 **DEPUTY COMMISSIONER MAY:** Just those are the
13 two, right?

14 **INMATE TRIPP:** Yeah. The forklift was on
15 the side kind of thing.

16 **DEPUTY COMMISSIONER MAY:** Yeah. Okay. Now,
17 as far as the different therapy groups, you were in
18 Breaking Barriers, Relapse Prevention, HIV AIDS
19 Education Prevention Program, Mexican-American
20 Resource Association, Arts and Crafts, Correction
21 Music Program, American Bible Academy Study Course.
22 Was there any other or is that it? But did I cover
23 everything?

24 **INMATE TRIPP:** I did for -- I'm trying to
25 think. I think it was (inaudible).

26 **DEPUTY COMMISSIONER MAY:** What about AA, NA?

27 **INMATE TRIPP:** I've been in AA, NA since

1 1988.

2 DEPUTY COMMISSIONER MAY: Are you in that
3 now?

4 INMATE TRIPP: Yes.

5 DEPUTY COMMISSIONER MAY: Did I cover
6 everything?

7 INMATE TRIPP: And I also did -- I had an
8 incest therapy group.

9 DEPUTY COMMISSIONER MAY: Incest?

10 INMATE TRIPP: Yeah, it was for incest
11 survivors. And then I had --

12 DEPUTY COMMISSIONER MAY: Yeah. Women
13 Against Abuse. The domestic violence.

14 INMATE TRIPP: Yeah, by Linda Hayes.

15 DEPUTY COMMISSIONER MAY: Yeah. That's
16 domestic violence.

17 INMATE TRIPP: Okay. Okay.

18 PRESIDING COMMISSIONER RISEN: I believe the
19 file contains a -- from the last Board, some
20 recommendations from Ms. Hayes as to her counseling
21 therapy as a result of the sexual relationship that
22 she suffered (inaudible).

23 DEPUTY COMMISSIONER MAY: So does that cover
24 everything that you've done in the institution?

25 INMATE TRIPP: Besides volunteering my time
26 (inaudible).

27 DEPUTY COMMISSIONER MAY: Yeah, I mean --

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1 **INMATE TRIPP:** I mean, because I did
2 volunteer for things. I mean, I teach line
3 dancing.

4 **DEPUTY COMMISSIONER MAY:** Okay.

5 **INMATE TRIPP:** And we'd volunteer. When
6 they'd have little shows, we'd volunteer to go in
7 front of all those people.

8 **DEPUTY COMMISSIONER MAY:** Okay. All right.
9 Thank you. That's it. Return to the Chair.

10 **PRESIDING COMMISSIONER RISEN:** All right:
11 Couple of questions. In the Governor's letter we
12 talked a little bit about -- It says in 2002, you
13 indicated that you had no prior criminal activity
14 before the murder. Then he refers back to the '85,
15 '91, and '93 psych reports where you talked about
16 stealing cars and stealing from your parents and
17 shoplifting. You were never arrested on any of
18 those charges?

19 **INMATE TRIPP:** The only thing that ever
20 happened to me was I was picked up in Utah when I
21 ran away. And I had a stolen car, but they never
22 filed on me, but they picked me up in Utah. I
23 stayed in juvenile hall and got shipped back down
24 to my mom. But I wasn't put under arrest for it.
25 It was because I was out of state when they picked
26 me up.

27 **ATTORNEY WOODWARD:** And I believe that the

1 -- I was present at that hearing. -- that the
2 statement by Ms. Tripp where she had no past
3 criminal record. I don't think she made any
4 assertions as to any other activity.

5 **PRESIDING COMMISSIONER RISEN:** Okay. Says
6 in the 1999 psychiatric evaluation, Ms. Tripp
7 admits that she and her husband discussed both
8 Tamron and her sister. Moreover, Ms. Tripp and her
9 husband looked at, you know -- He says, it is not
10 credible that she did not know that Tamron would be
11 killed because you had discussed her being killed
12 with your husband prior to this.

13 **INMATE TRIPP:** I was part of -- I can't take
14 myself out of the conversation. I was there when
15 -- All four of us were actually there when the
16 conversations were taking place. I didn't help the
17 matters. I know today that I probably helped them
18 more than I really liked to. I didn't help stop
19 the matters and it was a discussion that I was on
20 the side of no, let's not do it that way. No,
21 let's not do it that way. Let's try to do it this
22 way. And I guess that's why I ended up being
23 considered the person in charge. Pretty much, they
24 think I was the overseer of the whole thing and
25 there was really nothing I could do about that.
26 Because that's how they see that, but I was always
27 trying to run interference. And then when he

1 promised me that they wouldn't hurt her, then I
2 became more willing to go along with it because I
3 didn't know that (inaudible). And then I became
4 afraid to act on it. I was too afraid to do
5 anything. I didn't really want to believe that my
6 husband would kill anyone anyway, because they
7 didn't do anything with Betty Ann. They were
8 supposed to do everything and they didn't do
9 anything. So in the back of my mind, I guess I
10 just thought, well, you know, they couldn't do
11 that. They couldn't even just throw her in the
12 trunk. You know, they're not going to do anything.
13 He promised me he's going to do that and I just
14 talked myself into believing that he wouldn't kill
15 anyone, which blinded me about any results other
16 than what it was supposed to be like. That's how
17 it was supposed to be. He said it was going to
18 happen that way. I believed him, and I didn't want
19 to believe anything else until I got older and
20 realized that this was the first time they ever
21 asked me to go along. What did you think, because
22 they had asked me before what did I think my dad
23 was going to do if we didn't produce positive proof
24 that they did what they said they were going to do.
25 Well, I never thought of that. I didn't think
26 beyond just making him believe that taking his
27 money, letting her go. I thought that was the

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1 reality. I thought that could really happen at the
2 time. And I know that could never happen. I mean,
3 because of me, I know she is dead because her
4 family wouldn't have -- I don't know if Tammy
5 would have gotten in the car with them if I hadn't
6 of been a part of it in the beginning because
7 that's not what happened. But I know it helped her
8 to get in the car because she knew they were taking
9 her back. (inaudible) going to the beach, so she
10 (inaudible) okay, let's go. And I put that thought
11 in her mind, so it's just as much my fault as it
12 probably was to pull the rope (inaudible).

13 **PRESIDING COMMISSIONER RISEN:** Okay. I have
14 no other questions. Do you have any questions of
15 your client?

16 **ATTORNEY WOODWARD:** Yes. We touched briefly
17 on it. I want to make sure that we understand.
18 You indicated that from age seven for approximately
19 seven, eight, nine, 10 years, you were molested by
20 your stepfather. Is that a true statement?

21 **INMATE TRIPP:** Yeah. I would say it was
22 mostly from seven to about 14. Fifteen, 14 years
23 old and then it started to become, well, if you do
24 this, I'll get you this. If you do this, then I'll
25 get you that type of thing. So it was a money
26 deal. And when I was young, early in the time, I
27 used to call -- I thought it was blackmail. I

1 didn't really know the concept of blackmail at the
2 time when I said it and it was more of a
3 prostitution thing. I classify it as prostituting
4 because if I gave him sex, he would give me money
5 or he'd buy me something or we'd, like, go
6 somewhere. And that was the way that I got things
7 that I wanted was to pay for it with my body,
8 actually.

9 **ATTORNEY WOODWARD:** That was after seven
10 years of non-consensual sex.

11 **INMATE TRIPP:** Yeah. I don't remember it
12 being consensual until after I was 17 and I figured
13 out that's how I could get my way. That's how I
14 could get things. Daddy will give them to me.

15 **ATTORNEY WOODWARD:** Mr. May indicated that
16 you were disciplinary free since 1988, with the
17 exception of a 115 in 1999.

18 **INMATE TRIPP:** No, 128.

19 **ATTORNEY WOODWARD:** 128, sorry, in 1999.
20 And that 128, I understand, was for -- You'd kept
21 some clothing (inaudible).

22 **INMATE TRIPP:** No, I had a extra laundry
23 bag.

24 **ATTORNEY WOODWARD:** You had an extra laundry
25 bag. Other than that issue, you've been
26 disciplinary free since 1988.

27 **INMATE TRIPP:** And there was a '95 one for

1 logbook. My sponsor had given me a logbook that
2 was empty, so I could use as a clipboard. And the
3 warden took it in room searches and said it was
4 contraband. My boss said it would be contraband
5 only if the pages were written on, so she ripped
6 the pages out. It was still contraband, so.

7 **ATTORNEY WOODWARD:** If you were given a
8 parole date, you are comfortable with the
9 transition going to the Casa Solano?

10 **INMATE TRIPP:** Yes. I'm real comfortable
11 with that because that puts me in an area to help
12 adjust around people that are really familiar with
13 the adjusting period. Because I've never paroled.
14 You know, I just hear stories about it from people
15 that come in and out and it's just -- To me, it
16 feels better to be in an environment of people that
17 are going to understand that you're going to have a
18 lot of questions. Learning how to work a CDC
19 player was really a big deal for me. And the
20 microwave. That was something I was like, oh, god.
21 And I realize -- It made me realize that the world
22 has changed out there since I've been out there,
23 and it's not the same. When I was out there, they
24 had eight track tapes and those I don't think exist
25 anymore, so. So things have changed and it's good
26 to have people that are familiar and comfortable
27 around inmates. I was mostly concerned about my

1 mom, you know. Putting the burden of adjusting on
2 her, because she's never had an ex-con in her house
3 that she knew of. Because she never knew about
4 Ruckert until it was too late. So she's never been
5 through the parole procedures and parole plans and,
6 you know, and having a parole officer and all that.
7 And I told her, well, you know, there's a lot of
8 things I can't do, Mom, but it's okay. You know,
9 at least we get to see each other. That'll be okay
10 with me. If I have to stay home all the time,
11 that's fine with me.

12 PRESIDING COMMISSIONER RISEN: Your being
13 there.

14 INMATE TRIPP: So I can work there because
15 then I'll be able to adjust. It'll be easier for
16 me and my mom. Then I can help my mom with her
17 adjustment, too.

18 PRESIDING COMMISSIONER RISEN: And you did
19 testify against Mr. Ruckert at his trial?

20 INMATE TRIPP: Yes, I did.

21 PRESIDING COMMISSIONER RISEN: And you've
22 been here almost 25 years?

23 INMATE TRIPP: Twenty-five years in July.

24 PRESIDING COMMISSIONER RISEN: And when you
25 testified against Mr. Ruckert, you entered into a
26 plea negotiation with the District Attorney's
27 office?

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1 **INMATE TRIPP:** Yes, I did.

2 **PRESIDING COMMISSIONER RISEN:** Did you
3 understand in the plea negotiation that you were to
4 serve 15 years to life?

5 **INMATE TRIPP:** Yes. Someone in that area,
6 but I'm not sure if it was ever on record, he told
7 me I'd only do ten years. But I just figured that
8 until it's (inaudible) formal, I guess that's how
9 long it's supposed to be. And just trying to do
10 the best I can while I'm here.

11 **PRESIDING COMMISSIONER RISEN:** So you
12 honestly think you've had time to reflect on your
13 actions and what you did? Your participation in
14 this crime? Do you believe you pose a risk to
15 society? That you (inaudible) any kind of a
16 criminal act that would pose a danger to society?

17 **INMATE TRIPP:** I don't think I have the
18 capabilities of becoming a risk anymore, creating a
19 danger. Because I've learned to become very law-
20 abiding. Even in prison. I'm very rule-bound and
21 you don't break the rules. They don't allow you to
22 smoke. You go outside and (inaudible). Little
23 things that people take advantage of every day that
24 they don't think twice of that are big rules for us
25 in here. And can do just as much damage in
26 (inaudible) and you're here for a reason. And I
27 understand that and I don't think any -- I've

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1 worked for years putting myself in a place where no
2 one can twist me or manipulate me into
3 participating in anything that's against the law,
4 period, any way. But especially (inaudible) After
5 years, I know the difference between right and
6 wrong. And I wouldn't have any problem standing up
7 and telling. I could pick up the phone or stay on
8 the line and turn someone in today. Because it's
9 not right.

10 **ATTORNEY WOODWARD:** I have no further
11 questions.

12 **PRESIDING COMMISSIONER RISEN:** I have a
13 couple. Where is Mr. Ruckert?

14 **INMATE TRIPP:** I think he passed away in
15 1985.

16 **PRESIDING COMMISSIONER RISEN:** (Inaudible.)

17 **INMATE TRIPP:** And I don't know what
18 institution he was in.

19 **PRESIDING COMMISSIONER RISEN:** They're still
20 in as far as you --

21 **INMATE TRIPP:** As far as I know.

22 **PRESIDING COMMISSIONER RISEN:** And Randy
23 Cook?

24 **INMATE TRIPP:** And he's still in also as far
25 as I know.

26 **ATTORNEY WOODWARD:** But they have a first
27 degree conviction (inaudible).

1 **PRESIDING COMMISSIONER RISEN:** Now, when
2 Ruckert was molesting you, did you ever think about
3 telling your mom?

4 **INMATE TRIPP:** I did think about telling my
5 mom. I think because of my mom's (inaudible)
6 divorce with my original dad and the remarried
7 thing, it was real important for me as a child to
8 have a full family. Because kids would make fun of
9 me anyway and I can't really remember why. I just
10 know they used to make fun of me. When I was in
11 school, I wasn't quite built like everybody or
12 something. And so he used to tell me that if I
13 told my mom, you know, she'll make me leave and you
14 won't have a daddy and people aren't going to like
15 you. And when I was little, having friends was
16 really important to me. And well, now I'm older, I
17 don't know why that was so important because I
18 couldn't invite them over because one time I tried,
19 my stepdad really did try to touch one of my
20 friends and I didn't do anything about it. I was
21 younger then. I was probably only around 12 or
22 something. But I never asked anybody over to my
23 house again because now I had to protect them from
24 him also.

25 **PRESIDING COMMISSIONER RISEN:** Okay. You
26 know, you indicated in -- Not today, but I read it
27 here. In the first nine years, you felt that you

1 really hadn't done too much. What was it that made
2 you realize that you were more involved in the
3 crime and responsible than you were the first nine
4 years? What changed your mind?

5 **INMATE TRIPP:** Actually, what really started
6 making me think about it was -- It was a
7 combination. When I started going to AA and NA and
8 started doing 12 Steps. Twelve Steps were very big
9 for me. And at the same time, I was doing my
10 Incest Survivor's Group and realized where it came
11 from. But I would have to say more of my AA. My
12 AA and my honesty in accepting responsibility
13 because there's nothing I -- I can't do anything to
14 change it. And my biggest motivation, actually,
15 was Tammy. Because it was, like, well, she's gone
16 now. And I can't do nothing, but I can make sure I
17 never let anyone (inaudible) sister again. It kind
18 of motivated me to find out why. And as I was
19 doing my programming, the honesty thing kicked in,
20 everything was starting to say, well, okay, you
21 were a little more -- Because I used to get an
22 attitude when they tried to throw it all off on me
23 and I didn't understand why. And I thought well,
24 if it wasn't for me, she probably wouldn't have
25 been at the store. And if she wasn't at the store,
26 they probably wouldn't have picked her up, so yeah,
27 you're responsible. You did that and then I had to

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1 deal with that. And then I had to learn how to
2 kind of try to forgive myself. And the only way I
3 can do that is by working my program and helping
4 people. That's why I really like the SOS program.
5 Because we give all those things either to the
6 elderly veterans or the homeless children.

7 **PRESIDING COMMISSIONER RISEN:** Okay. What
8 does SOS stand for?

9 **INMATE TRIPP:** Sharing Our Stitches. My
10 program I'm involved in is the crochet program. So
11 we crochet little hats and sweaters and blankets
12 and booties. And our sponsor takes them to the
13 homeless shelter places for the kids. And so, I
14 focus my area around helping kids and helping other
15 people so they don't have to go through this.

16 **PRESIDING COMMISSIONER RISEN:** Any
17 questions?

18 **ATTORNEY WOODWARD:** Closing statement, but I
19 (inaudible).

20 **PRESIDING COMMISSIONER RISEN:** Okay. Okay.
21 We'll go to closing then.

22 **ATTORNEY WOODWARD:** Initially, I want to
23 point out to the Board, if I may, the same
24 Probation Report that Governor Davis drew most of
25 his information in rejecting the last parole date
26 that was issued last parole Board. There's a
27 paragraph in there by the author that indicates

1 that that author in 1979 agreed with Ms. Tripp in
2 that she said -- And you can read the words
3 yourself. Quote, I believe that she's being
4 truthful in her words, unquote. The relevance of
5 that is that while Ms. Tripp is understood her
6 complicity in the conspiracy and understood that
7 complicity that ultimately led to the death of a
8 child -- that it does drive home the persistent
9 adamance that she believed, whether it was founded
10 in reality or not, that she was a participant in a
11 kidnapping and not a murder. It is also relevant
12 to understand that most of us sitting here could
13 not fathom, as you raised, Mr. Risen, is why
14 couldn't you project down the road that your
15 actions would have created these reactions. Is
16 that it's relevant to understand that we come from
17 a position not helping sexual abuse. It does
18 change your personality. It does impact your
19 ability to reason. And I would ask that when you
20 look at the egregiousness of the crime, that we
21 understand that we have to place ourselves in that
22 capacity and not the capacity we sit in here today.
23 Her remorse is documented and unfaltering in the
24 last 14 years. She understands, agrees, and has to
25 deal with, her complicity in the crime. The issue
26 is whether in fact she poses an unreasonable risk
27 to society if she is released. Whether, in fact if

1 she is released, that her employment or future
2 prospective plans are realistic. She has served 24
3 years, 10 months for her participation in this
4 crime. Following case law, if you compare it to
5 the egregiousness of the crime to similarly
6 situated people, many of those same people cited in
7 case law, specifically Danberg and Rosenberg --
8 Excuse me, Ramirez. -- were committed for longer
9 periods, did less time than if they had committed a
10 more egregious act. The matrix for an egregious
11 act of this type, if you assume all things to be
12 true, even in Governor Davis's letter, the matrix
13 is 21 years. She has done just about 25 years. If
14 you take her combined time, her prior incestual
15 issues, her remorse, her realistic post-parole
16 plans and you combine that with 13 subsequent psych
17 reports issued from this institution indicating she
18 would not pose an unreasonable risk to society --
19 Thirteen years. In fact, the first one was 18
20 years ago. The last 13 psych report have parroted
21 the same words: She would not pose an unreasonable
22 risk to society. In light of the consideration
23 given to her time spent, her plans after she leaves
24 here, her remorse, her participation in the act
25 itself. At some point we have to ask ourselves has
26 she paid her debt. If she has paid her debt, if
27 she doesn't pose an unreasonable risk, and she has

1 realistic parole plans, then it is the right thing
2 to parole and give her a release date. It is the
3 absolute correct thing to do. It is time to do it.
4 This Board at the last meeting, I believe saw an
5 opportunity for an individual to become a
6 constructive member of society. Unfortunately,
7 this present administration, then-present
8 administration, did not. Nothing has changed since
9 then other than her continued good participation in
10 this institution. I ask you to look at all of the
11 honest considerations given to her parole date and
12 issue a parole release date for Ms. Tripp.

13 **PRESIDING COMMISSIONER RISEN:** Thank you.
14 Ms. Tripp, it's now your opportunity to tell the
15 Board why you're suitable for parole or you can
16 rely on your attorney's statement.

17 **INMATE TRIPP:** I personally feel that I've
18 done a lot of time. I feel that I've learned what
19 I was supposed to learn in here. That I've grown
20 how I was supposed to grow in here. And that I
21 actually have morals and principles in my life and
22 that I have a foundation and will stand on it. I
23 couldn't tell people no. I couldn't differ from
24 right or wrong and not go along with it. I had to
25 fit in and today, I don't have to go against the
26 grain and I don't have to go against the rules and
27 regulations to fit in. Because I know I'm okay

1 today being who I am and just being who I am and
2 not having to prove anything to anybody else
3 because who I am is going to show by itself anyway.
4 I think that if the Board finds me suitable and,
5 Lord willing, the Governor decides to agree with
6 the Board this year -- If you find me suitable,
7 that I would be a very productive part of society.
8 I have very good work ethics which I had to learn
9 in there. I think if I had to praise my own self,
10 the work ethics are very -- That would be my high
11 points because I really enjoy keeping a job and
12 working in a job and doing my best and realizing
13 that anything that you do in life reflects who you
14 are. So everything I do, I try to do to the best
15 of my ability and the qualities that I have in here
16 that's been given to me and taught to me. And I
17 feel that I would be very -- I would make the Board
18 proud and my attorney proud and the institution
19 real proud when I never came back here again. And
20 I would be able to fit into society because I think
21 my qualities and my job skills would fit out there
22 once I got a driver's license. Of course, since I
23 can't drive or anything until I can, but -- And
24 then one of my biggest things that I was thinking
25 about the other day is that -- Because I don't know
26 where they put Tammy when they buried her in that
27 sewer, she's (inaudible). But if she's in the

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1 area, I think, I thought one of my biggest things
2 that I would probably do for her is just, you know.
3 Because I know that I've never had anyone pass away
4 before, that I had to take care of their little
5 area that I know you have to take care of it. And
6 that is one of the things that I'd like to do for
7 her is take care of her little area. And make her
8 little bed nice. And I'm just (inaudible).

9 PRESIDING COMMISSIONER RISEN: Okay. We'll
10 recess -- It is 3:30 -- for deliberations. We'll
11 call you back in a few minutes.

12 R E C E S S

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CALIFORNIA BOARD OF PRISON TERMS

D E C I S I O N

DEPUTY COMMISSIONER MAY: We're on record.

PRESIDING COMMISSIONER RISEN: Okay. Everyone who was previously in the room has returned. The time is 4:00. The Panel reviewed all information received from the Public and relied on the following circumstances in concluding that the prisoner is suitable for parole and would not pose an unreasonable risk of danger to society or a threat to public safety if released from prison. The prisoner, while imprisoned, has enhanced her ability to function within the law upon release through participation in educational programs. She has obtained a GED, vocational programs. She has obtained a vocational certificate in forklift operation and also in vocational word processing. She's also, through self-help, taken the following: She's been in AA and NA since 1998. What did I say?

DEPUTY COMMISSIONER MAY: 1988.

PRESIDING COMMISSIONER RISEN: 1988. She's been in the SOS program. She's taken the Womens Against Abuse program, the American Bible Academy, Arts and Correctional Music Program, the Relapse Prevention program, the HIV AIDS Prevention

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